



Broward County

Legislation Details (With Text)

File #: 20-2109 **Version:** 1

Status: Agenda Ready

In control: County Administration - Real Property Section

On agenda: 12/8/2020 **Final action:** 12/8/2020

Title: MOTION TO ADOPT Resolution No. 2020-722 accepting a quitclaim deed from the State of Florida, Department of Transportation (FDOT) for certain real property located at NE 7th Avenue in the city of Hollywood for the public purpose of protecting the approach and transition zone for Runway 9R/27L at the Fort Lauderdale-Hollywood International Airport and authorizing recordation of the deed of conveyance; and approving the conveyance of certain County-owned property located at NE 7th Avenue in the city of Hollywood to FDOT, authorizing the Mayor or Vice-Mayor to execute the quitclaim deed transferring the County-owned property to FDOT and the County Administrator to attest to its execution, and authorizing recordation of same. (Commission District 7)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Resolution, 2. Exhibit 2 - QCD FDOT to Broward County, 3. Exhibit 3 - Original QCD FDOT to Broward County, 4. Exhibit 4 - QCD Broward to FDOT, 5. Exhibit 5 - Aerial Location Map and Data Sheet

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Bertha Henry

Department: County Administration

Division: Real Property

Information

Requested Action

MOTION TO ADOPT Resolution No. 2020-722 accepting a quitclaim deed from the State of Florida, Department of Transportation (FDOT) for certain real property located at NE 7th Avenue in the city of Hollywood for the public purpose of protecting the approach and transition zone for Runway 9R/27L at the Fort Lauderdale-Hollywood International Airport and authorizing recordation of the deed of conveyance; and approving the conveyance of certain County-owned property located at NE 7th Avenue in the city of Hollywood to FDOT, authorizing the Mayor or Vice-Mayor to execute the quitclaim deed transferring the County-owned property to FDOT and the County Administrator to attest to its execution, and authorizing recordation of same. **(Commission District 7)**

Why Action is Necessary

Board of County Commissioners' approval is required to accept an interest and convey real property pursuant to Broward County Administrative Code, Section 6.23.

What Action Accomplishes

Accepts a quitclaim deed from FDOT conveying certain property to County and authorizes the conveyance of certain County-owned property to FDOT.

Is this Action Goal Related

No

Previous Action Taken

None

Summary Explanation/Background

REAL PROPERTY SECTION AND THE AVIATION DEPARTMENT RECOMMEND APPROVAL OF THE ABOVE MOTION.

On June 19, 2001 (Item No. 4), the Board of County Commissioners of Broward County adopted Resolution 2001-515 approving the application for the conveyance of 1.10 acres of land owned by FDOT to the County for the public purpose of protecting the approach and transition zone for Runway 9R/27L at the Fort Lauderdale-Hollywood International Airport. However, the legal description included within the quitclaim deed that FDOT provided pursuant to Resolution 2001-515 mistakenly conveyed a parcel of real property consisting of 3.39 acres of land to County.

After learning of this mistake from an internal review, FDOT approached the County in July 2019 requesting a corrective deed. It was determined that a corrective deed could not be executed because the execution of a corrective deed could create a cloud in the title of the remaining 2.29 acres that FDOT never intended to transfer to the County pursuant to Resolution 2001-515. Both FDOT and the County agreed that the best way to rectify the error and clear the chain of title was for the County to transfer the 3.39 acres of land that was conveyed pursuant to Resolution No.2001-515 back to FDOT and for FDOT to convey the property it intended to convey consisting of 1.10 acres of land to County.

All documents have been reviewed and approved as to form by the Office of the County Attorney.

Source of Additional Information

Lary S. Mahoney, Director, Real Estate Development, (954) 357-7357

Steve Hammond, AIA, Acting Director, Public Works Department, (954) 357-6410

Mark Gale, Director, Aviation Department, (954) 359-6199

Fiscal Impact

Fiscal Impact/Cost Summary

There is no fiscal impact to Broward County.